

## **PUBLIC HEARINGS STANDARD OPERATING PROCEDURES**

2009 Public Involvement Procedures are an available resource when reviewing SOPs

### **1. Legal Notices of Planned Improvement (For CE level Projects)**

- a. review SPMS
- b. review environmental document / any design summary to draft legal notice
- c. draft notice will be drafted by program coordinator, then reviewed by Hearings Examiner or Hearings Manager prior to sending to newspapers for publishing
- d. Review Indiana Media Guide to determine most widely circulated papers in project area
- e. Send legal notice to newspapers; request that the notice be published at minimum 2 times to adhere to FHWA/INDOT public involvement procedures
- f. Prepare project mailing list; secure survey lists, coordinate with consultant or other means to develop a solid mailing list.
- g. Send copies of the legal notice to property owners within project area; work with project consultant, INDOT survey / records section, or other offices to develop a strong mailing list.
- h. Work with Hearings Office Clerical Assistant to prepare mailing labels/envelops, prepare copies of legal notice then mail through INDOT mailing process.
- i. Send copies of the environmental document, design summary (if available), project design plans (if available), other project materials which would be helpful, to public viewing locations. Public libraries, Municipal Offices, District Offices, Hearings Office
- j. Viewing locations which must be listed in every notice would be (1) INDOT Public Hearings Office; (2) appropriate INDOT District Office; (3) a location in the town/city where the project is located (research to determine possible locations closest to the project area such as a municipal office). (4) A public library should also be included as a viewing location due to evening accessibility (consult with Hearings Manager or Hearings Examiner).
- k. The legal notice should include a project description and location, some explanation of the need for the project, description of project impacts (i.e. project r/w, environmental, other), a clearly stated deadline for public comments to be submitted, viewing locations, contact information in which questions, comments, concerns, and any hearings requests can be submitted directly.
- l. Public comment deadline should be at minimum 15 days from the publishing date of the 1<sup>st</sup> legal notice; the comment deadline dates can be longer than 15 days and are determined at discretion of Hearings Office. Be sure that copies of the legal notice are sent out to correspond with the publishing of the 1<sup>st</sup> notice.

### **2. Public Comments submitted as a result of Hearings Opportunity (Legal Notice of Planned Improvement)**

- a. Comments submitted to Hearings Office as a result of the Legal Notice of Planned Improvement must be forwarded to project decision makers including but not limited to the project manager (CO / District), project consultant, designer, environmental document author, Hearings Manager or Hearings Examiner) to

ensure proper review of comments. Hearings Office to ensure comments are responded to and addressed. Documentation of any correspondence, subsequent meetings, etc to address public comments must be included in project file. If public hearings requests are submitted, Public Hearings Office works with project team to determine if a public hearing is in the community's best interest.

- b. Public comments are forwarded to project management team which typically consists of the project manager, project consultant, others, to be reviewed and evaluated and so responses can be prepared and documented. In some cases as part of the resolution, meetings with property owners/stakeholders may be held, site visits, teleconferences or additional items may need to take place in order to adequately address the issue. **The Hearings Manager or Examiner** may need to take an active role in facilitating any meetings resulting from the planned improvement legal notice. Public comments and the responses to concerns submitted as a result of our legal notice, are addressed in the "conditionally released for public involvement" environmental document in order to complete the environmental phase of the project's development.

### **3. Public Hearings Certification of Public Involvement Requirements**

- a. Certification Letter issued by Hearings Examiner or Hearings Manager
- b. Signed off on by Hearings Manager or Examiner in addition to Office of Environmental Services Manager or designee
- c. Use certification letter template on file
  - 1. No hearing held template
  - 2. Hearing held template
- d. For LPA projects, a combined form for the formal approval of the environmental document and the certification of public involvement requirements may be used.

### **4. Public Hearings Transcript**

- a. Prepared by Hearings Examiner or Hearings Manager
- b. Transcript must include the following
  - 1. a copy of certification letter
  - 2. information packet
  - 3. copy of attendance list "sign-in sheets"
  - 4. copy of speakers schedule
  - 5. transcription of verbal comments from public hearing
  - 6. copies of written comments submitted during comment period
  - 7. copy of project mailing list
  - 8. copy of legal notice of public hearing, notice of planned improvement (if applicable), copies of publisher's affidavit (claim)
  - 9. copy of hearings presentation
- c. A hard copy of the transcript should be kept with the project file in addition to scanning the transcript so an electronic copy may be kept

### **5. Public Hearings / Meetings Information Packet**

- a. Prepared for every hearing and information meeting

- b. Prepared by Hearings Manager and/or Hearings Examiner
- c. Includes but not limited to the following:
  - 1. a project description and location
  - 2. the purpose and/or need for the project
  - 3. a description of the proposed action
  - 4. description of right-of-way impacts
  - 5. estimated project costs
  - 6. ways in which the public may submit comments and participate during comment session
  - 7. meeting / hearing agenda
  - 8. comment form
  - 9. clearly stated comment period

**6. Delivery of public hearings materials upon request for hearings opportunity or public hearing**

- a. SPMS for project schedule
- b. Request copy of conditionally released environmental document
- c. Request copy of design summary (if available); if there is no design summary available, a description of the project is needed with r/w impacts, maintenance of traffic impacts, cost estimates, the need for improvement, etc.
- d. Request copies of full size set(s) of preliminary design plans for viewing locations to be named in legal notice; In most cases, we can use 1/2 size sets of plans in an effort to save paper. We typically print the environmental documents and design summaries from ERMS and ask for assistance when needed from other sections within INDOT.
- e. Document receipt of materials listed above on Hearings Clip Board
- f. Program Coordinator to input project specific data in Microsoft Access

**\*Estimated time involved is 5 to 7 days**

**7. Public Information Meeting request**

- a. Request to set up an information meeting typically would come from either Hearings Manager, Hearings Examiner, Project Facilitator or Project Manager.
- b. Obtain the project DES# and print a copy of the SPMS or project schedule
- c. Determine if hearings office has an active file and mailing list for the project. If not then create a new project file under DES#

**8. Legal Notice of Public Hearing**

- a. review SPMS
- b. review environmental document / any design summary to draft legal notice
- c. draft notice will be drafted by program coordinator, then reviewed by Hearings Examiner or Hearings Manager prior to sending to newspapers for publishing
- d. Review Indiana Media Guide to determine most widely circulated papers in project area
- e. Send legal notice to newspapers; request that the notice be published at minimum 2 times to adhere to FHWA/INDOT public involvement procedures

- f. Prepare project mailing list; secure survey lists, coordinate with consultant or other means to develop a solid mailing list.
- g. Send copies of the legal notice to property owners within project area; work with project consultant, INDOT survey / records section, or other offices to develop a strong mailing list.
- h. Work with Hearings Office Clerical Assistant to prepare mailing labels/envelops, prepare copies of legal notice then mail through INDOT mailing process.
- i. Send copies of the environmental document, design summary (if available), project design plans (if available), other project materials which would be helpful, to public viewing locations. Public libraries, Municipal Offices, District Offices, Hearings Office
- j. Viewing locations which must be listed in every notice would be (1) INDOT Public Hearings Office; (2) appropriate INDOT District Office; (3) a location in the town/city where the project is located (research to determine possible locations closest to the project area such as a municipal office). (4) A public library should also be included as a viewing location due to evening accessibility (consult with Hearings Manager or Hearings Examiner).
- k. The legal notice should include the **date, time, and location of the public hearing**, a project description and location, some explanation of the need for the project, description of project impacts (i.e. project r/w, environmental, other), a clearly stated deadline for public comments to be submitted, viewing locations, contact information in which questions, comments, concerns, and any hearings requests can be submitted directly.
- l. Public comment deadline should be 2 weeks after the date the public hearing is held. A longer comment period can be issued but 2 weeks following the hearing is generally an acceptable amount of time. Public comments can be submitted prior to the hearing upon the publishing of the Legal Notice of Public Hearing.

#### **9. INDOT Public Hearings List Serve**

- a. Public Hearings Manager to post public involvement announcements via the INDOT Public Hearings List Serve
- b. bi-weekly schedule to post announcements such as public hearings, meetings, notices of planned improvement
- c. Forward all announcements to Hearings Manager for posting. Hearings Manager will maintain list serve and issue postings

#### **10. INDOT Public Hearings Website Calendar**

- a. Hearings Manager to post all announcements onto INDOT website calendar page
- b. Posting must include the date, time, location or public involvement event, project description, contact information with name, phone number and e-mail address.

#### **11. Public Hearing / Meeting Venue protocol**

- a. Contact possible locations using Indiana School Directory
- b. Contact venue request dates
- c. Upon confirming dates, request application to use facilities

- d. Complete and return application along with INDOT insurance liability letter issued by INDOT Legal

**12. Microsoft Access data entry (record of each project submitted to hearings office) for public involvement activity**

- a. DES number
- b. Project Description
- c. Public Involvement Activity (Hearings opportunity solicitation or Public Hearing)
- d. County
- e. Type of Environmental Document
- f. Plans received date
- g. Environmental Document & design plans sent to viewing locations date
- h. Consultant working on project
- i. In-house contacts; (project manager, designer, environmental document preparer)
- j. Hearing date, additional or subsequent public information meeting dates
- k. Hearing location
- l. Newspapers where legal notice will be published along with publishing dates

**13. ERMS / Scanning Project Documents in ERMS**

- a. **Program Coordinator with consultation from Hearings Manager and Hearings examiner will gain access to ERMS and submit and retrieve project information For the use of the Hearings Office**

**14. Conducting a Public Hearing / Public Information Meeting**

- a. set up display area for project maps and other visuals. These materials are typically supplied by consultant staff.
- b. Hearings staff should arrive to venue at least 1 hour prior to the start of the public hearing to set up tables, chairs, sound system equipment, set out project materials and handouts and etc.
- c. Hearings staff should be completely set up at least 30 minutes prior to the start of the public hearing to greet the public as they arrive and to assist them in locating project information.
- d. Public Hearings Manager or Examiner facilitates the hearing/meeting by calling the meeting to order, delivering the presentation or a portion of it, conducting the public comment session, and all facets of the public meeting/hearing.

**15. Pre-Hearing/Meeting meetings (scheduled prior to the actual hearing/meeting)**

- a. Hearings Manager / Examiner **must** schedule a pre-hearing/info meeting conference call or meeting with project team to coordinate logistics of the meeting/hearing and to better understand the purpose and goals of the meeting/hearing.
- b. Meeting attendees should include, PM, District, consultant, real estate, designer, environmental services, and others as necessary.



## **STANDARD OPERATING PROCEDURES FOR PROJECT FACILITATORS**

2009 Public Involvement Procedures is an available resource to supplement SOP's

### **1. PROJECT NEWSLETTERS:**

- A. project description, milestones, speaker's invitation, timely information
- B. each newsletter should incorporate project related graphics (maps, displays, visual illustration)
- C. content review protocol to include Project Manager, District PIO, Hearings Manager (**note:** district Customer Service Manager and District Deputy Commissioner must be included in correspondence for final draft just prior to newsletter being sent to project stakeholders)
- D. Upon content approval, newsletters will be submitted to INDOT staff via electronic format, project stakeholders receive hard copies unless otherwise requested by project stakeholder.
- E. Coordinate with District PIO or District Designee(s) prior to correspondence being sent to project stakeholders.
- F. During pre-newsletter development, make sure that District Deputy Commissioner for the appropriate district is included in correspondence and work with District PIO, Customer Service Manager, or other designee to ensure that the Deputy District Commissioner is aware of draft newsletter(s) prior to correspondence being sent to project stakeholders.

### **2. PROJECT FILES:**

- a. Maintain Project Correspondence forms/notes to document name, inquiry, response/resolution to inquiry, date, time, project DES# for inquiries via telephone
- b. e-mails, written comments (copies to kept in file or electronic folder)
- c. design summaries, engineer's reports, project data should be kept in an orderly file

### **3. PUBLIC MEETINGS/HEARINGS:**

- a. Attend all public meetings assigned
- b. Assist meeting organizer/moderator in any way
- c. Engage project stakeholders during meeting
- d. Active participation and engagement prior to, during and following the meeting.
- e. Hearings Manager/Hearings Examiner serves a moderator at public hearings and most public meetings, however facilitators could be asked to serve as moderator in some cases.
- f. Obtain copy of post hearing/info meeting transcript/meeting minutes to bolster project stakeholder database to use for future stakeholder correspondence.

### **4. STAKEHOLDER MEETINGS:**

- a. Make sure all **newsletters** (postcards are excluded) extend the opportunity to "Request a Speaker"
- b. Upon receiving and accepting a request, notify Project Manager, Hearings Manager, and update calendar via outlook (note: this applies for small group meetings, individual stakeholder meetings)
- c. Prepare / make arrangements for project materials to be produced for meeting
- d. Inform appropriate District Customer Service Manager / PIO as a courtesy and in case District is contacted (note: this would apply to small group meetings). This contact should take place for every small stakeholder group meeting.
- e. Prepare meeting summary / minutes for project file and Project Manager and in case of internal inquiry by Hearings Manager, District, and others
- f. Active facilitation of meeting

#### **5. PROJECT NEWSLETTERS / correspondence production and distribution:**

- a. Standardizing newsletter format
  - 1. Graphics (map, plan sheet, visual of project area, etc)
  - 2. Project Timeline
  - 3. Speaker's invitation
  - 4. Project update
  - 5. Project Development graphic (showing how projects are developed)
  - 6. Contact Information
- b. Following review of newsletter by (PM, District PIO and/or Customer Service Manager, Hearings Manager), have copies printed using Pitney Bowes (if large amount is necessary); smaller amounts could be printed in office.
- c. Please have newsletters and post cards printed in **color when possible**.

#### **6. INTERNAL MEETINGS:**

- a. Check PM's calendar to inquire about meetings, events, items on their calendar in order to stay current.
- b. Set appointments to meet with your PM's regularly to stay current
- c. Activities could include but not limited to scheduling meeting rooms, preparing meeting minutes, preparing meeting agenda, taking notes, preparing copies
- d. Keep outlook calendar up to date at all times
- e. Prepare / make arrangements for project materials to be produced for meeting if necessary
- f. Active facilitation of meeting

#### **7. ACTIVE FACILITATION (when appropriate) ACTIVITIES:**

- a. Project related materials could be sent to public viewing locations
- b. Attend project field checks with PM, observe soil drilling operations,



environmental investigation activities to get first hand account of the activities we would highlight in our correspondence.

**8. PROJECT WEBSITES:**

- a. Project Facilitators should proactively seek opportunities to initiate project related websites for their various stakeholders
- b. Coordinate website data, content, graphics, etc with PM, District PIO or District designee to ensure consistency in project message